Counterpunch

A Report from the Capital

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Bill Clinton "Enhances" Haitian Democracy

From the cave in on the "gay ban" to his Reaganite budget, Bill Clinton's administration has been marked by broken promises and duplicity. However, when historians come to write about these days, they will be hard pressed to find anything more reprehensible than Clinton's now open betrayal of Haiti's democratically-elected president, Jean-Bertrand Aristide. To hold the Pentagon responsible for Clinton's waffling on Haiti, as the president's many apologists still do, is at this point stretching wishful thinking far beyond the breaking point. As an official at the National Security Council told a Haiti expert consulted by ***Counterpunch***, "Clinton is directly in the loop" in setting U.S. policy.

While Clinton piously insists that he is committed to Aristide's return to power, his policies punish the Haitian president's supporters and reward the military and its wealthy allies. In January, the Treasury Department for the second time preserved a loophole—originally approved by the Bush administration—which allows about 50 *maquiladora*-style assembly plants to operate in Haiti in defiance of the international trade embargo. As a result, exports from Haiti to the United States have *increased* by nearly 50 percent in the last year, according to a new report by the National Labor Committee (NLC). Those exports enter the U.S. duty free as Haiti maintains its special trading status and normal commercial privileges conceded under the Caribbean Basin Economic Recovery Act.

Clinton, like Bush, portrays the *maquiladora* exemption as a reward for Haiti's workers—paid an average of $.14 an hour by hugely profitable businesses, many of which are owned by people who grew rich under the former Duvalier dictatorship and who maintain warm relations with the current military rulers. These companies include:

- Three firms owned by Andres Apaid, a man who has vowed to "strangle" Aristide if the ousted president returns to Haiti.
- Several plants run by the right-wing Mevs family, which is widely believed to have helped finance the coup. The Mevs paid the Washington lobbying firm of Williams & Connolly more than $100,000 last year to help ensure that the loophole is maintained.
- The Monell apparel company, owned by the Khoury family, one of Haiti's most conservative clans. At least one family member was a member of the *Ton Ton Macoutes* during the Duvalier dictatorship.
- Sewing International, whose owners, the Mourra family, are also suspected of being financiers of the overthrow of Aristide.

It's an open secret that the *maquiladora* firms are using their Clinton administration-approved commercial privileges to import goods for businesses which are covered by the embargo. Antoine Izmery, Aristide's advisor who was murdered by security forces last September, provided U.S. officials with a list of companies abusing the loophole shortly before his death. No action was ever taken.

More outrageously, the Treasury Department's Office of Foreign Assets Control (OFAC) has granted special licenses to non-*maquiladora* firms which allow them to maintain their Haitian operations. No one knows how many licenses have been granted

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W. Hays Park and Murder By Non-Assassination

by John Kelly and **Counterpunch**

Back in the mid-1970s, amid cries for reform provoked by CIA scandals then in the headlines, President Gerald Ford prohibited U.S. officials from murdering political "enemies." The ban was promulgated in Executive Order 11905, which stated that "no employee of the United States Government shall engage in, or conspire to engage in, political assassination."

The order, which has been reissued by all succeeding administrations, would seem to absolutely rule out the use of murder as a tool of foreign policy. Since that practice has long been viewed favorably by the government, the Executive Order created a real dilemma for policymakers and intellectuals. The solution, bold yet simple, was to redefine the word "assassination." As Robert Turner, chairman of the American Bar Association's standing committee on law and national security, recently told *The Washington Post*, "The indiscriminate expansion of 'assassination'...to encompass every intentional killing of a foreign official risks confusing some highly complex and quite distinct legal and moral issues."

The man charged with officially redefining assassination is W. Hays Park, the Army's chief legal officer. He authored a Memorandum of Law—printed in 1989 in *The Army Lawyer* but otherwise apparently unpublished—which sought to clarify "the term [assassination] in the context of military operations across the conflict spectrum." A Defense Department source interviewed by ***Counter*punch** said the memorandum was "coordinated with and concurred in" by the State Department, the CIA and the Justice Department. It was also reviewed and accepted by the House and Senate Intelligence Oversight Committees.

According to Park's logic, "the clandestine, low visibility or overt use of military force against legitimate targets...where such individuals or groups pose an immediate threat to United States citizens or the national security of the United States, as determined by competent authority, does not constitute assassination...and would not be prohibited by proscription in [Ford's Executive Order] or by international law." If striking at "a known terrorist" threat involves "too great a risk" for U.S. ground forces, it would even be "legally permissible to employ an air strike against that individual or group rather than attempt his, her, or their capture."

To sum up, U.S. "enemies"—as defined by the president—can still be dispatched. Those doing the dispatching can rest assured that their activities fall within the bounds of the law.

After paving the way for future non-assassinations, Park's memo then clears the U.S. of wrongdoing for past involvement in the death of individuals who posed "a direct threat to U.S. national security." Of special note here is the 1934 killing of Nicaraguan "bandit leader" Augusto Cesar Sandino by the U.S.-created National Guard, and the 1967 execution of Ernesto "Che" Guevara, who was shot after being captured by Bolivian troops assisted by the CIA.

The Defense Department source, who spoke to ***Counter*punch** on the condition that he not be identified, denied that Park's memorandum gives the government new authority to bump off foreign political foes. "We had members of congress wanting to kill people and asking that the [Executive Order] be waived," he said. "You can't waive a law, so we wanted to clear up the ambiguity [about what constitutes assassination]."

Park's legal handiwork greatly expands the potential for U.S. participation in murder abroad. Park may even have been working under deadline: shortly after putting the final touches on his memorandum, George Bush signed a presidential "finding" which authorized the CIA to aid Colombian troops in what was to become the December 1989 non-assassination of Jose Gonzalo Rodriguez Gacha. A Colombian drug baron, Gacha, his 17-year-old son, Fredy, and several bodyguards were shot from a helicopter while fleeing from their would-be captors.

One does not have to approve of drug trafficking to see the danger here. The threat is especially great in Colombia, where, under cover of fighting the "drug war," army-backed death squads have killed 2,000 people since 1988. Most of the victims have not been traffickers, but unionists, opposition political figures and, more recently, prostitutes, street kids and other "undesirables" done away with in bursts of "social cleansing."

It is likely that Park's memo also cleared the way for U.S. training and funding of the Search Block, the elite commando unit which tracked down Pablo Escobar. With Escobar dead, President Cesar Gaviria has said that the Search Block—which a Colombian judge recently told *The San Francisco Chronicle* "violates rights as part of its *modus operandi*"—may now be turned loose on leftist guerilla groups.

(The Clinton administration has encouraged abuses by the Colombian government, which the president calls "one of our strongest allies...in our common desire to see democracy flourish." Bogota received $90 million in U.S. aid last year, tops in Latin America. As Amnesty International's William Schulz charged on Mar. 15, "There is good reason to believe that the United States has been a collaborator in the [drug war] charade, that much of U.S. aid intended for counternarcotics operations has in fact been diverted to the killing fields.")

The Defense Department source would not comment on whether Park's memorandum has been directly invoked by the Clinton administration, but he did say that, by his understanding of the document's logic, the president may have been overly cautious in last year's bombing of Iraqi intelligence headquarters in Baghdad. The air strike, which killed 8 civilians when three "smart" missiles missed their target and plowed into a residential area, was called in retaliation for Iraq's alleged but unproven plot to kill George Bush during his April 1993 visit to Kuwait. "Clinton attacked at night but he could have ordered a daytime strike, even if civilians were killed," said the source. "There's an assumed risk involved for people who work at military installations." •

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U.S. Nuclear Testing on Marshall Islanders: "More Like Us Than The Mice"

Defenders of the government's recently revealed Cold War-era radiation experiments insist that there was nothing sinister about the tests, which, they say, are being blown out of proportion by Luddite foes of progress. Yes, concede test defenders, scientists gently urged adolescent boys at a Massachusetts state home for the mentally impaired to lap up steaming bowls of radioactive oatmeal, and also injected pregnant women at a Boston hospital with radioactive iron. But, goes the argument, doses were small and it was all for the cause of science.

How, though, will these Frankensteins explain away U.S. activities in the Marshall Islands, where new revelations show that people were deliberately established in a polluted environment in order for scientists to track the impact of radiation on human genetic systems? "Unlike most of the tests, in which radiation was taken to the victims, in the Marshall Islands the victims were taken to the radiation," observes Cooper Brown, director of the National Committee for Radiation Victims. "It demonstrates a callous disregard for brown-skinned people."

On March 1, 1954 the U.S. detonated the 15-megaton "Bravo Shot"—1,000 times more powerful than the bomb dropped on Hiroshima—in the western Pacific. The blast produced clouds of radioactive ash that drifted across the Marshall Islands chain, then a U.S. "protectorate." More than 200 residents of the Utirik Atoll and the island of Rongelap, both directly downwind of the explosion, were exposed to radioactive fallout and later suffered unusually high rates of cancer.

U.S. officials long maintained that the blast was three times bigger than they had anticipated and asserted that they were unaware that prevailing wind patterns would blow radioactive debris across populated areas. But the government's chief scientist at the time, Merril Eisenbud, now admits that test operators were aware of the precise size of the bomb, and knew that islanders would be in the path of radioactive fallout. Eisenbud, now a professor emeritus of environmental medicine at New York University Medical School, also claims that he recommended that islanders be removed from their land but was overruled by unnamed higher-ups.

Residents of affected areas were temporarily evacuated after the explosion, but were later permitted to return to their homes. A newly released transcript from a 1956 meeting of the Atomic Energy Commission's *Advisory Committee on Biology and Medicine* shows that Eisenbud—who made the comments printed below—and other scientists were most anxious for islanders to reoccupy their former land:

> We think that one very intriguing study can be made and plans are on the way to implement this...[Utirik Atoll] is safe to live on but is by far the most contaminated place in the world and it will be very interesting to go back and get good environmental data...so as to get a measure of the human uptake when people live in a contaminated environment. Now, data of this type has never been available. While it is true that these people do not live, I would say, the way Westerners do, civilized people, it is nevertheless also true that these people are more like us than the mice. So that is something which will be done this winter.

Eisenbud now says he can't recall making these remarks and insisted to one reporter that researchers never intended to use the islanders as guinea pigs. However, as the transcript—excerpted in *CovertAction Quarterly*—also shows, Eisenbud told his colleagues that the "program you have heard today is a program that is in progress now."

Furthermore, ***Counter*punch** has learned that scientists involved in the project wrote letters and memorandums which hailed the program's virtues and the unprecedented information it was providing. "They were like kids in a candy store, happy about all the experiments they could do," says Brown.

The White House's Human Radiation Interagency Working Group has thus far refused to review the case of the Marshall Islanders, saying that atomic tests in the Pacific did not amount to radiation experiments on humans. On the basis of this new information, Rep. John Dingell (D-Mich) is asking the administration to reconsider that interpretation.

Many other interesting secrets are surely contained in the millions of pages of documents still being reviewed by the Department of Energy. It would not be surprising to learn that other "uncivilized" people were also used as guinea pigs. In Puerto Rico, for example, independence activist Pedro Campos has asserted that U.S. officials subjected him to radiation when he was jailed in 1950. Other former political prisoners on the island have made similar charges.

As Brown says, "We've seen just the tip of the iceberg. When all the stuff gets peeled away, we're going to find some very interesting revelations." •

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Haiti, from p. 1

or which companies have received them because the OFAC won't reveal that information, even rebuffing a Freedom of Information request filed by Ira Kurzban, an attorney for Aristide's government. This policy, which was never publicly announced, was only revealed because Kurzban discovered that fruit labelled "Product of Haiti" was being sold in Miami.

Clinton *may* finally close the *maquiladora* loophole on March 31. That step, if taken, will no longer cause any great discomfort for the military and its allies, who have by now firmly established the means needed to ensure their continued material comfort. Clinton dallied until last October before freezing the assets of 43 coup leaders and preventing them from travelling to the United States—a delay which gave Haiti's rulers plenty of time to protect their wealth. By the time the administration acted, coup leader Gen. Phillipe Biamby had only $.75 left in his now frozen Boston bank account.

New steps in January affected nearly another 500 officers, but hundreds of others—as well as family and friends of military leaders—are still free to travel to the United States. According to Kurzban, Gen. Raoul Cedras's wife and brother, Didier, the latter who served as an advisor to the military at the Governor's Island talks last summer, have been seen on shopping sprees in Miami. "What the hell does Cedras care if he can come to the United States or not," says Kurzban. "[His companions] can pick up anything he needs."

Meanwhile, oil and other contraband pours into Haiti from the Dominican Republic, a country which receives large amounts of U.S. aid and whose economy is completely dependent on access to American markets. "The Dominican government virtually hops with fear at the prospect of losing its trade relationship with the U.S," says Charlie Kernaghan of the NLC. "Clinton could close the border in a second if he wanted to."

On the political front, the U.S. is now pressuring Aristide to cut a deal far weaker than the already flawed Governor's Island accord. Unlike the earlier agreement, the so-called "parliamentary plan" establishes no date for Aristide's return and immediately suspends the embargo if Cedras steps down. Other members of the high command would be left in place.

(The Clinton administration has even declared its willingness to work with the dreaded Col. Michel Francois. State Department hardliner Michael Kozak recently told a Port-au-Prince radio station that the army commander who replaces Cedras *could* transfer the colonel "if he should judge that to be necessary." Aristide signed the Governor's Island accord only after administration officials, including Vice President Al Gore, assured him in frantic last-minute phone calls that the U.S. would demand that Francois be forced into exile.)

The "parliamentary plan" was made public during a late-February visit to the U.S. by a delegation of Haitian political figures. The visit occurred under the auspices of the Center for Democracy (CFD), an Agency for International Development-funded nest of vipers led by noted Cold Warrior Allen Weinstein. An official at the CFD's Washington office cheerily admitted that the U.S. handpicked delegation members, paid their expenses, and that this bold initiative was originally hatched in the State Department.

The visiting group—described as "centrist" by both the CFD and Lawrence Pezzullo, Clinton's repugnant special advisor on Haiti—was heavily stacked with Aristide's opponents. Its leader, Frantz Robert Monde, is one of the military's closest allies in the parliament. The CFD official noted that another key delegation member, Victor Benoit, had been named Minister of Education by Aristide. Unmentioned here was that Aristide appointed Benoit, a vocal opponent of Haiti's legitimate president, in response to American demands at Governor's Island that he "broaden his base" to appease conservatives.

Helping plan the delegation's visit was Lionel Delatour, who works closely with the CFD and is described in promotional material as "a noted Haitian political analyst." In fact, Delatour, who worked as a State Department escort while studying at Georgetown University in the 1970s, is most noted for being a U.S. flunky. He also served as *charge d'affaires* at the Haitian embassy in Washington under "Baby Doc" Duvalier.

Delatour's task at the CFD is to promote "moderates," this being a chore the Center has previously performed in Guatemala, the Philippines and Nicaragua. As part of his work, Delatour helped create the Center for Free Enterprise and Democracy, a group stuffed with anti-Aristide businessmen. The group calls for massive public sector layoffs and a freeze on Haiti's minimum wage "to improve [the country's] attractiveness...as an investment destination."

The Clinton administration's latest assault on Aristide is its mid-March request for millions of dollars to "enhance democracy" in Haiti. Well-placed sources have told ***Counterpunch*** that part of that money will be used to support parliamentary elections scheduled for late this year. As one observer notes, "People in Haiti can't even safely walk outside of their homes. How are they supposed to take part in democratic elections?" The primary vehicle for this disgraceful scheme is rumored to be the Virginia-based America's Development Foundation, another pack of AID-backed shady operators who in the 1980s supported conservative anti-Sandinista groups in Nicaragua.

This support of Haitian "democracy" is part of Clinton's strategy—exactly identical to Ronald Reagan's policy in El Salvador—to back mythical "moderates" who are allegedly "trapped between extremists of the left and right." Soon the administration will be touting FRAPH, a newly-created group of military-linked killers, as a legitimate political organization, just as Reagan transformed El Salvador's death-squad backed ARENA into a "conservative political party."

Meanwhile, repression in Haiti has reached unprecedented levels, even worse than in the days following the coup d'état. Sources from Port-au-Prince report that bodies are turning up daily in the city's slums, with the victims' faces often hacked off with machetes. This sort of activity takes place because Haiti's current rulers feel supremely confident of their hold on power. As Kurzban says, "The military knows from its friends at the CIA that the U.S. has no plans [for] tough action."

Clinton's policy from the day he took office was not to restore Aristide, but to preserve business as usual in Haiti. If Aristide had been willing to accept that, he would have been allowed back as a figurehead president. Since it has become clear that he is not, the administration's message to Haiti's president is quite direct: drop dead. •

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